IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Crl.MC.No. 1425 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.1379/2007 Dated 19/03/2007

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PETITIONER:

NAUSHAD, S/O.ALI, AGED 43,
PARAYARU VILAKOM, PURAYIDAM MPC 20/22,
PUNALUR TOWN WARD, KOLLAM.

BY ADV. SRI.THIRUMALA P.K.MANI

RESPONDENTS:

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1. THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID (CFS), THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.A.SALIM

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.BALACHANDRAN, J.

Crl.M.C.No.1425 of 2007

Dated this the 4th day of May 2007

O R D E R

The petitioner is the fourth accused in crime No.907/2004 of Attingal police station which is re-registered as Crime No.1/CR/S1/05 of CBCID, Thiruvananthapuram for offence punishable under Section 489 B and C of the I.P.C read with Section 34 thereof. He was granted bail by this court vide Annexure I order on 19/03/2007 imposing necessary conditions. The prayer in the Criminal Miscellaneous Case is to lift condition No.1 attached to the grant of bail vide Annexure I order. The said order provides that the petitioner shall report before the Deputy Superintendent of Police, CBCID, Thiruvananthapuram between 9 a.m and 11 a.m on all Wednesdays. In fact, the said condition is the only condition which ensures the presence of the petitioner within the State and the said condition was imposed by this court observing that the interest of the prosecution is adequately safeguarded by imposing appropriate conditions. Other than condition No.1, the other conditions namely condition Nos.2 to 4 will not be sufficient to safeguard the interests of the

prosecution especially considering the gravity of the offence. The prayer for lifting condition No.1 attached to the grant of bail vide Annexure I order is not liable to be allowed in the circumstances.

2. This Criminal Miscellaneous Case is hence dismissed.

K.P.BALACHANDRAN,
JUDGE.

jsr